

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CRIMINAL CASE NO. 3:03cr127

UNITED STATES OF AMERICA,)

)

)

vs.

)

)

)

RICHARD OLTON.

)

)

ORDER

THIS MATTER is before the Court on a letter from the Defendant which the Clerk of Court has docketed as a Motion. [Doc. 163, filed January 7, 2009].

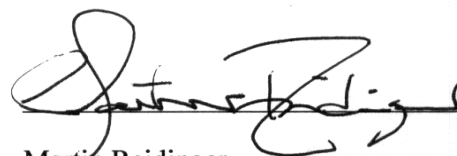
On September 24, 2008, the undersigned granted the Defendant's motion to substitute counsel. [Doc. 158, filed September 24, 2008]. As a result, Randolph Lee, Esq. was appointed to represent the Defendant in order to ascertain whether it would be appropriate to file a motion on the Defendant's behalf as a result of the crack cocaine amendment. [Doc. 159, filed September 25, 2008]. The Defendant, who has been somewhat prolific in his filings, now asks the Court to force Mr. Lee to return his wife's telephone calls and to respond to his communications.

The Court will require Mr. Lee to file the appropriate pleading in the record showing either that the Defendant is not eligible for any reduction based on the amendment or moving for the same. The Defendant is placed on notice that he should not communicate with the Court by letter.

IT IS, THEREFORE, ORDERED that Defendant's counsel, Randolph Lee, Esq. , shall file either a certificate as to the Defendant's ineligibility for relief or a motion seeking relief pursuant to the crack cocaine amendments within thirty (30) days of the entry of this Order.

IT IS FURTHER ORDERED that the Defendant's letter, construed as a motion, is hereby **DENIED**.

IT IS FURTHER ORDERED that no further letters from the Defendant shall be filed as a pleading absent instruction from the Court.


Martin Reidinger
United States District Judge



Signed: January 12, 2009